



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- ☐ International Building Code
- ☐ ICC ANSI A117.1 Accessibility Code
- ☒ International Existing Building Code
- ☐ International Residential Code
- ☐ International Fire Code
- ☐ Uniform Plumbing Code

- ☐ International Mechanical Code
- ☐ International Fuel Gas Code
- ☐ NFPA 54 National Fuel Gas Code
- ☐ NFPA 58 Liquefied Petroleum Gas Code
- ☐ Wildland Urban Interface Code

For the Washington State Energy Code, please see specialized [energy code forms](#)

Section(s): 2021 IEBC 401.4(NEW)

Title: Demolition and replacement (Repairs)

2. Proponent Name (Specific local government, organization or individual):

Proponent: Washington Association of Building Officials—Technical Code Development Committee

Title:

Date: 3/14/2022

3. Designated Contact Person:

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4. Proposed Code Amendment.

Code: IEBC **Sections:** 401.2, 401.4 (NEW)

Add and modify the following sections as underlined:

401.1 Scope. *Repairs* shall comply with the requirements of this chapter. *Repairs to historic buildings* need only comply with Chapter 12.

401.1.1 Bleachers, grandstands and folding and telescopic seating. *Repairs* to existing bleachers, grandstands and folding and telescopic seating shall comply with ICC 300.

401.2 Compliance. The work shall not make the building less complying than it was before the *repair* was undertaken. Work on nondamaged components that is necessary for the required repair of damaged components shall be considered part of the repair and shall not be subject to requirements for alterations.

[BS] 401.3 Flood hazard areas. In flood hazard areas, *repairs* that constitute *substantial improvement* shall require that the building comply with Section 1612 of the *International Building Code*, or Section R322 of the *International Residential Code*, as applicable.

401.4 Demolition and replacement. Where a building is effectively demolished by damage or where the intended method of repair is demolition and replacement, the replaced building, including its replaced foundation, or remaining foundation as approved by the *code official*, shall comply with requirements for new construction in the *International Building Code*.

5. Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.

The proposal does three things:

- Clarifies that the work needed to facilitate repairs should not be considered an alteration (401.2)

The sentence being added to the end of 401.2 was dropped during the 2018 code cycle when the repair provisions were consolidated in Chapter 4 in the IEBC. This allowance was originally in the 2015 IEBC Prescriptive and Work Area methods sections. It provides clarity to the code official about how to deal with existing undamaged components when repairs on a structure are needed. It is a common situation that should be addressed by the code.

- Ensures that when a building has been effectively demolished it must be replaced with a new building subject to new code requirements (401.4).

The IEBC allows the use of “like materials” for repairs, but these provisions should not apply where the building has been destroyed and the repair needed is a total replacement of the building. The same rules should apply whether the damage is caused directly by the destructive event or if the demolition and subsequent replacement of the building is the owner’s choice for correcting the damage. In both cases, owners would have to rebuild using currently adopted codes.

- Allows for reuse of the existing foundation with approval by the code official.

Note: This proposal is being heard at the ICC Hearings for the 2024 code cycle in March/April 2022. Further correlation may be needed in the future if the ICC proposal is approved “as is” or with changes.

6. Specify what criteria this proposal meets. You may select more than one.

- ☒ The amendment is needed to address a critical life/safety need.
- ☒ The amendment clarifies the intent or application of the code.
- ☐ The amendment is needed to address a specific state policy or statute.
- ☐ The amendment is needed for consistency with state or federal regulations.
- ☐ The amendment is needed to address a unique character of the state.
- ☐ The amendment corrects errors and omissions.

7. Is there an economic impact: ☐ Yes ☒ No

a. Cost of Construction. Since the current code is not clear about how to address cases of repairs that are as extensive as building replacement, whether the proposal will increase the cost of construction will vary depending on how a given jurisdiction is enforcing the incomplete code.

Restoring the language related to work on non-damaged components should not change the cost of any construction; it merely reflects a common understanding that was in the IEBC until it was inadvertently removed in 2018. The current code is silent on this issue and, if anything, the proposal could reduce the cost of some repairs if code officials are interpreting the current code differently.

b. Not applicable.

c. Code Enforcement. These changes shouldn't add review or inspection time. Both changes merely delineate a code path, whether it is for buildings being replaced after an event (natural or otherwise) or the treatment of non-damaged components when a building is being repaired.

d. Small Business Impact. It will make it clear to insurance companies when the jurisdiction requires full replacement of a demolished building and should help business owners recover the funds they need to completely rebuild. Not triggering alteration requirements when non-damaged components have to be worked on to repair damaged components will help keep repairs from having scope creep into other areas of the building that are uninvolved with the damage.

e. Housing Affordability. These code changes addresses buildings originally governed by the International Existing Building code. See comments on Cost of Construction.

f. Other. This will be better for building owners and others as it provides clear direction on what codes apply to the replacement of a building that has been demolished and doesn't carry over pre-existing non-conformities into the replacement building. Building replacement is a rare opportunity to increase the safety of the built environment for users of a building.